

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the Application of:

STEPHEN M. ALLEN ET AL.

CASE NO.: BB1210 US DIV

APPLICATION NO.: UNKNOWN

GROUP ART UNIT: UNKNOWN

FILED: HEREWITH

EXAMINER: UNKNOWN

FOR: NITROGEN TRANSPORT METABOLISM

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**PRELIMINARY AMENDMENT**

Commissioner for Patents  
Washington, DC 20231

Sir:

Prior to examination, please amend the captioned application as follows and consider the following remarks.

**IN THE SPECIFICATION:**

**Please replace the following paragraphs:**

**Paragraph beginning at page 1, line 3:**

This application is a division of U.S. Application No. 09/384,625 filed August 27, 1999, which claims the benefit of U.S. Provisional Application No. 60/098,248, filed August 28, 1998.

**Paragraph beginning at page 8, line 4:**

"Codon degeneracy" refers to divergence in the genetic code permitting variation of the nucleotide sequence without affecting the amino acid sequence of an encoded polypeptide. Accordingly, the instant invention relates to any nucleic acid fragment comprising a nucleotide sequence that encodes all or a substantial portion of the amino acid sequences set forth herein. The skilled artisan is well aware of the "codon-bias" exhibited by a specific host cell in usage of nucleotide codons to specify a given amino acid. Therefore, when synthesizing a nucleic acid fragment for improved expression in a host cell, it is desirable to design the nucleic acid fragment such that its frequency of codon usage approaches the frequency of preferred codon usage of the host cell.

**IN THE CLAIMS:**

**Please cancel claims 1-21. Please add the following claims:**

22. "added" An isolated polynucleotide comprising:

(a) a nucleotide sequence encoding a polypeptide having ammonium transporter activity, wherein the amino acid sequence of the polypeptide and the amino acid sequence of SEQ ID NO:4 have at least 80% sequence identity based on the Clustal alignment method, or

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